

The Georgia State Board of Optometry met on **April 27, 2005** at the Professional Licensing Boards Division, 237 Coliseum Drive in Macon, Georgia for the purpose of conducting business.

Members Present:

- Kay F. Royal, O.D., President
- Dudley B. Christie, O.D.
- H. Kemp Jones, O.D.
- Robin McGhee, O.D.

Others Present:

- Anita O. Martin, Executive Director
- Lea F. Williams, Board Secretary
- Wylencia Monroe, Board Attorney
- Georgianne Bearden, GOA

Dr. Royal established that a quorum was present and called the meeting to order at 10:05 AM in OPEN SESSION.

January 26, 2005 Board Meeting Minutes: Dr. Jones motioned, Dr. McGhee seconded, and the Board voted to **approve** the minutes as presented.

Roster of New Licensees: Dr. McGhee made a motion to **approve** the roster. The motion was seconded by Dr. Christie and approved by the Board.

Request submitted by Dr. Jones Re: Doxycyclene: The board voted to table this item and schedule a conference call for doxycyclene and other drugs to be added to the formulary.

Draft copy of the renewal newsletter: Dr. Jones motioned, Dr. Christie seconded, and the Board voted to approve the draft copy. The Board requested that renewal information be sent to Georgianne Bearden of the GOA.

Request of waiver of C.E. requirements submitted by Arun T. Subramanian, O.D.: Dr. McGhee motioned, Dr. Jones seconded, and the Board voted to deny the request.

Information submitted by David O. Peed, O.D. Re: Keratoconus: Dr. Jones motioned, Dr. Christie seconded, and the Board voted to request a response from Dr. Peed regarding the procedure.

Letter submitted by Angela Smith, C.O.A.: Dr. McGhee motioned, Dr. Jones seconded, and the Board voted to advise Ms. Smith that the Board's impression is that it is not in the public's best interest to have non-licensed people conducting eye exams.

SB 258 and Proposed amendment to Rule 430-2-.07, Renewal of Licenses: Dr. Jones moved, Dr. Christie seconded, and the Board voted to **post** the rule as amended. (Attachment #1)

The Board voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as provided by the Attorney General's office.

The board also voted that it is not legal or feasible to meet the objectives of the applicable laws to adopt or implement differing actions for businesses as listed in O.C.G.A. §50-13-4(3)(A)(B)(C)(D). The formulation and adoption of this rule will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of Optometry.

FY2004 Budget Information: Dr. McGhee motioned, Dr. Christie seconded, and the Board voted to reduce the renewal fee from \$200.00 to \$125.00, and reduce the late renewal fee from \$400.00 to \$325.00. Dr. Jones was in opposition of the vote.

O.C.G.A. 43-30-8 as it pertains to Rule 430-2-.04, Requirements; Approval of Educational Programs: Dr. Jones motioned, Dr. Christie seconded, and the Board voted to post the rule as amended. (Attachment #2) The Board tabled the discussion of the peer review issue for the next meeting.

Rule 430-11-.01, Examination Requirements: Dr. McGhee motioned, Dr. Christie seconded, and the Board voted to post the rule as amended. (Attachment #3)

The Board voted that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as provided by the Attorney General's office.

The board also voted that it is not legal or feasible to meet the objectives of the applicable laws to adopt or implement differing actions for businesses as listed in O.C.G.A. §50-13-4(3)(A)(B)(C)(D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of Optometry.

Dr. McGhee moved, Dr. Christie seconded, and the Board voted to enter into **EXECUTIVE SESSION** in accordance with O.C.G.A. §43-1-2(k) and §43-1-19(h) to deliberate on applications, receive enforcement's, Board attorney's and cognizants' reports. Voting in favor of the motion were those present who included Board members Jones and Royal. The Board concluded Executive Session in order to vote on these matters and to continue with **OPEN SESSION**.

OPEN SESSION:

D.A.P.: Dr. Christie made a motion to **approve** the application once all requirements are met. The motion was seconded by Dr. McGhee and approved by the Board.

J.W.M.: Dr. Jones made a motion to **approve** the application once all requirements are met. The motion was seconded by Dr. McGhee and approved by the Board.

#05-026 Dr. Christie motioned, Dr. McGhee seconded, and the Board voted to **close** the case with a letter of concern citing sub-standard care and treatment.

#03-037: Dr. McGhee motioned, Dr. Christie seconded, and the Board voted to **close** the case with a letter of concern citing advertising issues.

#05-025: Dr. Jones motioned, Dr. McGhee seconded, and the Board voted to **close** the case with a letter of concern, and strongly suggest that the respondent take eight (8) additional hours of C.E. in glaucoma within one (1) year.

Enforcement Report:

Beauty Plus: Dr. Christie made a motion to **accept** the signed Cease & Desist Order and close the case. The motion was seconded by Dr. McGhee and approved by the Board.

#03-039: Dr. McGhee made a motion to **refer** the case back to enforcement to obtain all 59 patient records listed in the complaint, and then refer the case and records out for a peer review. The motion was seconded by Dr. Christie and approved by the Board.

Cognizant Report:

#05-029: Dr. Royal requested to schedule an Investigative Interview with the respondent.

#04-028, 05-013, 05-027: Dr. Royal requested to schedule an Investigative Interview with the respondent.

Executive Director's Report:

- Discussed the new on-line renewal process.
- Presented the private consent order signed by G.C. The Board voted to **accept** the consent order.

Renewal CE Audits: Dr. McGhee motioned, Dr. Jones seconded, and the Board voted to audit 1% of the licensees for continuing education.

E-mail from Dr. Jones re: Rule 430-2-.04: The Board voted to table this item until the next meeting.

The Board requested that Dr. Jones draft a letter to Secretary of State Cathy Cox, regarding the Board's concern with travel restrictions.

The Board requested Executive Director Anita Martin to draft a rule regarding compliance with requests or subpoena's from the Board for patient records.

There being no further business to come before the Board, the meeting was adjourned at 12:05 pm on April 27, 2005.

Minutes prepared by Board Secretary, **Lea Williams**, and reviewed by Executive Director, **Anita Martin**.

Kay F. Royal, O.D., Board President

Mollie Fleeman, Division Director

**NOTICE OF INTENT TO ADOPT A PROPOSED
AMENDMENT TO THE GEORGIA STATE BOARD OF OPTOMETRY RULES
RULE 430-2-.07, RENEWAL OF LICENSES AND
NOTICE OF PUBLIC HEARING**

TO ALL INTERESTED PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Board of Optometry (hereinafter "Board") proposes an amendment to the Georgia State Board of Optometry Rules, Rule 430-2-.07, Renewal of Licenses., (hereinafter "proposed rule amendment").

This notice, together with an exact copy of the proposed rule amendment and a synopsis of the proposed rule amendment, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed rule amendment, and a synopsis of the proposed rule amendment may be reviewed during normal business hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. Copies may also be requested by contacting the Board office at (478) 207-1686.

A public hearing will be held at 10:00 a.m. on July 27, 2005, at the Secretary of State's Professional Licensing Boards Division, 237 Coliseum Drive in Macon, Georgia 31217 to provide the public an opportunity to comment upon and provide input into the proposed rule amendment.

At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for official record. Oral statements should be presented in writing. Written comments are welcome. Such written comments must be legible and signed, should contain contact information from the maker (address, telephone number and/or facsimile number, etc.) and be actually received in the office prior to the close of business (5:00 P.M.) on July 20, 2005. Written comments should be addressed to Mollie L. Fleeman, Division Director, Secretary of State, Professional Licensing Boards Division, Georgia State Board of Optometry, 237 Coliseum Drive, Macon, Georgia 31217. Telephone (478) 207-1686 or fax (478) 207-1699.

The Board will consider the proposed rule amendment for adoption at a meeting scheduled to begin at 10:05 a.m. on July 27, 2005 at the Secretary of State's Professional Licensing Boards Division, 237 Coliseum Drive in Macon, Georgia 31217. According to the Department of Law, State of Georgia, the Georgia State Board of Optometry has the authority to adopt a proposed rule amendment to Rule 430-2-.07 pursuant to authority contained in O.C.G.A. §§ 43-1-25, 43-30-5, and 43-30-8.

At its meeting on April 27, 2005 the Georgia State Board of Optometry voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.G.C.A. §§ 43-1-25, 43-30-5, and 43-30-8.

Additionally, at the meeting, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§43-1-25, 43-30-5, and 43-30-8 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of optometry.

For further information, contact the Board office at (478) 207-1686.

This notice is given in compliance with O.C.G.A. § 50-13-4.

This the _____ day of _____, 2005.

Mollie L. Fleeman
Division Director
Professional Licensing Boards Division

Posted: _____

**SYNOPSIS OF PROPOSED REVISIONS TO THE
GEORGIA STATE BOARD OF OPTOMETRY RULES
RULE 430-2-.07 RENEWAL OF LICENSES.**

PURPOSE: The purpose of the proposed rule amendment is to provide for the requirements of O.C.G.A. § 15-12-1 and allow for a late renewal period for licensees on active duty.

MAIN FEATURES: The main feature of the proposed rule amendment is to provide for the requirements of O.C.G.A. § 15-12-1 and allow for a late renewal period for licensees on active duty.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED
AMENDMENTS TO THE GEORGIA STATE BOARD OF OPTOMETRY RULES RULE 430-
2-.07, RENEWAL OF LICENSES.**

NOTE: Underlined text is proposed to be added; lined through text is proposed to be deleted.

Rule 430-2-.07, Renewal of Licenses is hereby revised as follows:

430-2-.07 Renewal of Licenses.

(1) Each person holding a valid license to practice optometry shall renew said license with the Division Director by completing and filing the renewal form furnished by the Board. Said licenses expire on December 31 of every odd-numbered years and shall be renewed biennially upon payment of the biennial renewal fees and providing proof, if selected for an audit, of the completion of the required continuing education hours. The renewal form shall be considered filed with the Board upon being postmarked. All forms not postmarked by December 31 of the odd numbered years shall be considered late.

(2) Each person holding a valid license to practice optometry who does not renew said license by December 31 of the odd-numbered years shall be afforded a late renewal for a period of thirty (30) days after the deadline date. Late renewals shall be processed after filing the renewal form, payment of the renewal fee and late renewal penalty fee and providing proof, if selected for an audit, of the required continuing education hours. The late renewal form shall be considered filed with the Board upon being postmarked. All late renewal forms not postmarked by January 30 following the December 31 deadline shall not be considered timely filed with the Board. (3) ~~After the late renewal time period, all non-renewed licenses will be revoked by operation of law for non-renewal, and will require reinstatement at the discretion of the Board.~~ Any service member as defined in O.C.G.A. § 43-1-31 whose license to practice optometry expired while serving on active duty outside the state shall be permitted to practice optometry in accordance with the expired license and shall not be charged with a violation relating to such practice on an expired license for a period of six (6) months from the date of his or her discharge from active duty or reassignment to a location within the state. Any such service member shall be entitled to renew such expired license without penalty within six (6) months after the date of her or her discharge from active duty or reassignment to a location with the state. The service member must present to the board a copy of the official military orders or a written verification signed by the service member's commanding officer to waive any charges.

(4) After the late renewal time period, all non-renewed licenses will be revoked by operation of law for non-renewal, and will require reinstatement at the discretion of the Board.

Authority O.C.G.A. §§ 43-1-25, 43-30-5, and 43-30-8.

**NOTICE OF INTENT TO ADOPT A PROPOSED
AMENDMENT TO THE GEORGIA STATE BOARD OF OPTOMETRY RULES
RULE 430-2-.04, REQUIREMENTS; APPROVAL OF EDUCATIONAL PROGRAMS AND
NOTICE OF PUBLIC HEARING**

TO ALL INTERESTED PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Board of Optometry (hereinafter "Board") proposes an amendment to the Georgia State Board of Optometry Rules, Rule 430-2-.04, Requirements; Approval of Educational Programs, to be titled Continuing Education Requirements; Approval of Educational Programs (herein after "proposed rule amendment").

This notice, together with an exact copy of the proposed rule amendment and a synopsis of the proposed rule amendment, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed rule amendment, and a synopsis of the proposed rule amendment may be reviewed during normal business hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. Copies may also be requested by contacting the Board office at (478) 207-1686.

A public hearing will be held at 10:00 a.m. on July 27, 2005, at the Secretary of State's Professional Licensing Boards Division, 237 Coliseum Drive in Macon, Georgia 31217 to provide the public an opportunity to comment upon and provide input into the proposed rule amendment.

At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for official record. Oral statements should be presented in writing. Written comments are welcome. Such written comments must be legible and signed, should contain contact information from the maker (address, telephone number and/or facsimile number, etc.) and be actually received in the office prior to the close of business (5:00 P.M.) on July 20, 2005. Written comments should be addressed to Mollie L. Fleeman, Division Director, Secretary of State, Professional Licensing Boards Division, Georgia State Board of Optometry, 237 Coliseum Drive, Macon, Georgia 31217. Telephone (478) 207-1686 or fax (478) 207-1699.

The Board will consider the proposed rule amendment for adoption at a meeting scheduled to begin at 10:05 a.m. on July 27, 2005 at the Secretary of State's Professional Licensing Boards Division, 237 Coliseum Drive in Macon, Georgia 31217. According to the Department of Law, State of Georgia, the Georgia State Board of Optometry has the authority to adopt a proposed rule amendment to Rule 430-2-.04 pursuant to authority contained in O.C.G.A. §§ 43-30-5 and 43-30-8.

At its meeting on April 27, 2005 the Georgia State Board of Optometry voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.G.C.A. §§ 43-30-5 and 43-30-8.

Additionally, at the meeting, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-30-5 and 43-30-8 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of optometry.

For further information, contact the Board office at (478) 207-1686.

This notice is given in compliance with O.C.G.A. § 50-13-4.

This the _____ day of _____, 2004.

Mollie L. Fleeman
Division Director
Professional Licensing Boards Division

Posted: _____

**SYNOPSIS OF PROPOSED REVISIONS TO THE
GEORGIA STATE BOARD OF OPTOMETRY RULES
RULE 430-2-.04, REQUIREMENTS; APPROVAL OF EDUCATIONAL PROGRAMS TO BE
TITLED CONTINUING EDUCATION REQUIREMENTS;
APPROVAL OF EDUCATIONAL PROGRAMS.**

PURPOSE: The purpose of the proposed rule amendment is to change the title, provide additional blanket approval for continuing education programs provided at Georgia medical colleges, limit the number of refractive surgery-related courses, and make an address correction.

MAIN FEATURES: The main feature of the proposed rule amendment is to change the title, provide additional blanket approval for continuing education programs proved at Georgia medical colleges, limit the number of refractive surgery-related courses, and make an address correction.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED
AMENDMENTS TO THE GEORGIA STATE BOARD OF OPTOMETRY RULES RULE 430-
2-.04, REQUIREMENTS; APPROVAL OF EDUCATIONAL PROGRAMS TO BE TITLED
CONTINUING EDUCATION REQUIREMENTS;
APPROVAL OF EDUCATIONAL PROGRAMS.**

NOTE: Underlined text is proposed to be added; lined through text is proposed to be deleted.

Rule 430-2-.04, Requirements; Approval of Educational Programs is hereby revised as follows:

430-2-.04 Continuing Education Requirements; Approval of Educational Programs.

(1) The Board has pre-approved; continuing education (post-graduate) courses from schools and colleges of optometry accredited by the Council on Optometric Education of the American Optometric Association; a maximum of ten (10) hours per biennium in ophthalmologic related courses taught by the Medical College of Georgia, Emory University, Mercer University and Morehouse College; any courses offered by the American Optometric Association or its regional or state affiliates; the Society of Professional Optometrists of Georgia; the Council on Optometric Practice Education (C.O.P.E.) and any courses approved by C.O.P.E. All pre-approved continuing education providers must give notification of their courses on a timely basis to all Georgia Optometrists. Any other individual or organization desiring Board approval of an educational program sponsored by the individual or organization, or particular segments of such a program shall submit a request for approval to the State Board of Optometry, ~~466 Pryor Street, SW, Atlanta, Georgia 30303,~~ 237 Coliseum Drive, Macon, Georgia 31217 not later than thirty (30) days prior to the scheduled date of such program. The Board will act on such request within thirty (30) days after receipt of the request for approval. Any request for Board approval of an educational program must include the following information:

(a) The identity of the sponsor, including:

1. The name and address of the sponsoring individual(s) or organization and a description of any organizational form (e.g., unincorporated association, non-profit corporation, etc.) and the date of organization;
2. The name and address of the principal officers of the sponsor.

(b) A description of the program, including:

1. With respect to each course for which approval is sought:

(i) the name and address of the instructor;

(ii) the title of the course;

(iii) a brief biographical sketch of the instructor including a detailed description (curriculum vitae) of his/her academic qualifications and a listing of prior publications including published speeches, which relates to the subject matter of the course;

(iv) an outline of the proposed content;

(v) the number of hours for which approval is requested, including a specification of those hours relating to practice management.

2. The scheduled time and place of the course;

3. A description of the method by which course attendance is to be monitored;

4. The amount of any registration fee, tuition or other charge for attendance, including a statement of any difference in such charges, which depend on membership in the sponsoring organization;

5. A sample of any advertisement or announcement intended to be employed concerning the program.

(c) Such additional information as the Board may request in the course of its deliberations concerning the application for approval.

(2) The following course content will not satisfy the continuing education requirement:

(a) Courses dealing with social and health trends;

(b) Any course unrelated to or not designed to enhance the professional skill of the practitioner;

(c) Courses conducted by any individual who is the owner of or is directly connected with any optical wholesale concern unless approved by the Board.

(3) A doctor of optometry is expected to ascertain in advance that the courses, which he/she attends, have received prior Board approval and do not fall within the exceptions of sub-part (2).

(4) Board approval of any educational program under this section relates to the program as proposed to the Board. In the event the actual program does not substantively correspond to the proposed program approved by the Board, the board will not give credit for that program under Code Section 43-30-8. The Board will not consider for approval the program as modified.

(5) Minimum hours required. Unless the Board gives written notice to each licensed doctor of Optometry prior to February 1 of the applicable year, the minimum number of hours of attendance at Board-approved education programs required for biennial renewal of license shall be 36. However, new licensees shall be required to obtain the following number of hours: none (0) in the first calendar year of licensure, 18 in the second calendar year of licensure, 36 per biennium beginning in the third calendar year of licensure. After the first calendar year of licensure, courses related to practice management shall be restricted to 4 hours biennially and must be related to patient care. After the first calendar year of licensure, of the total hours required, licensees practicing within the State shall obtain one (1) hour biennially of prior approved Georgia Optometric Jurisprudence ethics and jurisprudence. ~~A maximum of 8 hours per biennium will be allowed as continuing education credit for grand rounds. One hour credit will be allowed for every 2 hours spent in grand rounds.~~

(a) Within the 36 or 18 hours of continuing education hours as set out in (4) above, whichever is required, licensees practicing within the State shall obtain one (1) hour biennially of prior approved ethics and jurisprudence. ~~Georgia Optometric Jurisprudence. Georgia Optometric Jurisprudence required by these rules must be presented by a current Board Member or someone designated by the Board. Georgia~~

licensed optometrists that are not practicing within the state are not required to earn the one hour of ~~Georgia Optometric Jurisprudence~~ ethics and jurisprudence.

(b) A maximum of eight (8) hours per biennium will be allowed as continuing education credit for grand rounds. One (1) hour credit will be allowed for every two (2) hours spent in grand rounds. Effective January 1, 2006, a maximum of six (6) hours per biennium will be allowed for continued education credit for refractive surgery-related courses.

(c) A maximum of six (6) hours of continuing education credit will be allowed per biennium for any coursework that is offered by correspondence or electronic medium, which coursework is approved or sponsored by any provider identified in subparagraph (1) of this Rule.

(d) Effective January 1, 2006, of the thirty-six (36) required hours, a minimum of 18 hours per biennium is required for pharmacology and pathology as related to ophthalmologic conditions.

(6) Reporting and Auditing. The method of reporting and auditing continuing education shall be:

(a) At the time of license renewal, each Optometrist shall certify to the Board that he/she has completed the continuing education required for license renewal.

(b) The staff of the Professional Licensing Boards shall audit the continuing education of a percentage of licensees for compliance with all rules and regulations. This percentage shall not exceed 20% of the licensed Optometrist, randomly selected, in the State per biennium.

(c) Each licensed Optometrist shall maintain records of attendance and supporting documents for continuing education for a period of three (3) years from the date of attendance.

(d) Deferral of the requirement for education program hours may be considered by the Board. Requests for deferral must be submitted to the Board in writing and should include complete documentation of the reasons for the request. Deferral will be considered for the following reasons:

1. certified illness; and
2. hardship.

O.C.G.A. §§ 43-30-5 and 43-30-8

**NOTICE OF INTENT TO ADOPT A PROPOSED
AMENDMENT TO THE GEORGIA STATE BOARD OF OPTOMETRY RULES
RULE 430-11-.01, EXAMINATION REQUIREMENTS AND
NOTICE OF PUBLIC HEARING**

TO ALL INTERESTED PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Board of Optometry (hereinafter "Board") proposes an amendment to the Georgia State Board of Optometry Rules, Rule 430-11-01, Examination Requirements., (hereinafter "proposed rule amendment").

This notice, together with an exact copy of the proposed rule amendment and a synopsis of the proposed rule amendment, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed rule amendment, and a synopsis of the proposed rule amendment may be reviewed during normal business hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. Copies may also be requested by contacting the Board office at (478) 207-1686.

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At its meeting on April 27, 2005 the Georgia State Board of Optometry voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.G.C.A. §§ 43-30-5 and 43-30-7

Additionally, at the meeting, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-30-5 and 43-30-7 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of optometry.

For further information, contact the Board office at (478) 207-1686.

This notice is given in compliance with O.C.G.A. § 50-13-4.

This the _____ day of _____, 2005.

Mollie L. Fleeman
Division Director
Professional Licensing Boards Division

Posted: _____

**SYNOPSIS OF PROPOSED REVISIONS TO THE
GEORGIA STATE BOARD OF OPTOMETRY RULES
RULE 430-11-.01 EXAMINATION REQUIREMENTS.**

PURPOSE: The purpose of the proposed rule amendment is to remove the listing of a clinical examination requirement administered by the Georgia Board and add the test requirement for pharmacology, treatment and management of ocular diseases, and the jurisprudence examination.

MAIN FEATURES: The main feature of the proposed rule amendment is to remove the listing of a clinical examination requirement administered by the Georgia Board and add the test requirement for pharmacology, treatment and management of ocular diseases, and the jurisprudence examination.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO
THE GEORGIA STATE BOARD OF OPTOMETRY RULES RULE 430-11-.01 EXAMINATION
REQUIREMENTS.**

NOTE: Underlined text is proposed to be added; lined through text is proposed to be deleted.

Rule 430-11-.01 Examination Requirements is revised as follows:

430-11-.01 Examination Requirements., Amended.

- (1) Candidates for licensure in Georgia will be required to pass Parts 1, 2 and 3 if applicable of the National Board examinations; ~~and a clinical examination to be administered by the Georgia State Board of Optometry, including any other subjects deemed necessary, at the discretion of the board, to be established by the Board, in order to meet the examination requirements and Treatment and Management of Ocular Disease (TMOD) examination or a subsequent examination approved by the board which tests knowledge of pharmacology for treatment and management of ocular diseases; and the Georgia State Jurisprudence examination administered by an organization approved by the board.~~ In addition, after July, 1994, all candidates must have completed all requirements for therapeutic certification before making application to the take the clinical examination administered by the Georgia State Board of Optometry jurisprudence examination.
- (2) There shall be an exception to the requirement for successful completion of the National Board examination for candidates meeting the following qualifications:
 - (a) Any candidate who has held a valid license in good standing to practice Optometry in another state and has practiced the profession continually in said State since a date prior to January 1, 1974, shall be eligible to take the jurisprudence examination given by ~~the Georgia State Board of Optometry~~ an organization approved by the board provided that:
 1. The State in which said candidate is licensed is deemed by the Board to have established standards and qualifications that are equivalent to the standards and qualifications required for licensure in the State of Georgia;
 2. The State in which said candidate is licensed has established requirements for re-licensure which are deemed by the Board to be equivalent to the requirements for re-licensure in the State of Georgia;
 3. Provided that said candidate meets all other requirements for licensure.